



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,575	02/05/2001	Tooru Horie	NIP-216	6717

24956 7590 12/27/2004

MATTINGLY, STANGER & MALUR, P.C.
1800 DIAGONAL ROAD
SUITE 370
ALEXANDRIA, VA 22314

EXAMINER

BLACK, LINH

ART UNIT	PAPER NUMBER
----------	--------------

2167

DATE MAILED: 12/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/775,575

Applicant(s)

HORIE ET AL.

Examiner

LINH BLACK

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20041210.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 22-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Mikurak (USP 6671818).

1. Mikurak anticipated the independent claims 22, 24, and 27 by the following:
a first inquiry information registering means for registering inquiry information relating to power plant techniques and sent from a power plant user via a telecommunication network, and a first inquiry-history information registering means for registering inquiry-history information relating to the power plant techniques and sent from the power plant user – col. 22, lines 9-61; col. 77, lines 3-66; col. 106, lines 1-49; col. 125, lines 25-57; col. 127, lines 5-67; col. 171, lines 29-39; col. 267, lines 19-49.

an answer system for a service furnisher, having a second inquiry information registering means for registering the an answer system for a user, having inquiry

Art Unit: 2167

information relating to the power plant techniques and registered in said first inquiry information registering means of said answer system for a user, and a second inquiry-history information registering means for registering the inquiry-history information relating to the power plant techniques and sent from the power plant user - col. 22, lines 9-61; col. 77, lines 3-66; col. 125, lines 24-57; col. 128, lines 1-24; col. 159, lines 7-45; col. 161, lines 3-17.

means for preventing the inquiry information relating to the power plant techniques and registered in said first inquiry information registering means of said answer system for a service furnisher and the inquiry-history information registered in said first inquiry-history information registering means for the inquiry-history information from being accessed by outsiders via the telecommunication network – col. 172, lines 16-44; col. 260, lines 24-41; col. 267, lines 39-45; col. 268, lines 45-67.

means for preventing the inquiry information relating to the power plant techniques and registered in said first inquiry information registering means of said answer system for a user and the inquiry-history information registered in said first inquiry-history information registering means for the inquiry-history information from being accessed by outsiders via the telecommunication network – col. 269, lines 1-11; col. 270, lines 38-45.

communication means for communicating the inquiry information relating to the power plant techniques to an information service furnisher – col. 172, lines 11-25.

means for inputting an answer responding to the communicated inquiry information relating to the power plant techniques – col. 22, lines 9-61; col. 77, lines 3-66; col. 161, lines 12-17; col. 91, lines 19-64; col. 125, lines 25-57.

means for sending the input answer to the user via the telecommunication network – col. 128, lines 1-25; col. 176, lines 1-13.

wherein said answer system for a user is provided with a retrieving means constructed so that the user is able to retrieve the inquiry-history information relating to the power plant techniques, said inquiry-history information having been inquired of by the user and registered said first inquiry-history information registering means for the inquiry-history the inquiry means for preventing the power plant techniques – col. 106, lines 1-15; col. 220, lines 31-45; col. 205, lines 1-8.

2. Mikurak anticipated claim 23 by the following:

wherein said answer system for a user includes means for sending information including voice data and/or dynamic image data to the user – col. 48, lines 3-10; col. 106, lines 1-23.

3. Mikurak anticipated claims 25 and 28 by the following:

Art Unit: 2167

a means counting work hours of a professional staff which have corresponded with the inquiry sent from the user and reporting said work hours or charges calculated based on the work hours to said user – col. 47, lines 9-19; col. 53, lines 23-33.

4. Mikurak anticipated claim 26 by the following:

a translation system for translating an answer sent from said information service furnisher to said user – col. 33, lines 11-24; col. 45, lines 18-32; col. 74, lines 19-34.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Art Unit: 2167

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LINH BLACK
Examiner
Art Unit 2167

December 10, 2004



Primary Examiner